

**THE MINUTES OF THE HOUSE STANDING COMMITTEE  
ON  
JUDICIARY**

**Wednesday, February 27, 2008**

**9:00 a.m.**

**Room 521 House Office Building**

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The House Standing Committee on Judiciary was called to order by **Representative Paul Condino**, Chair.

**MEMBERS PRESENT:** Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Rick Jones and Rocca.

**MEMBERS ABSENT/EXCUSED:** Representative Stakoe.

**Representative Coulouris** moved to adopt the minutes of the **February 20, 2008**, meeting. There being no objection, the motion prevailed by unanimous consent.

**Chairman Condino** laid **HB 5160** before the committee:

HB 5160 Marleau Crimes; other; use of certain out-of-state violations to enhance drunk driving penalties; allow.

**TESTIMONY**

**Representative Marleau**, sponsor of HB 5160, explained his bill to the committee.

**Linda Maloney**, Ingham County Chief Assistant Prosecuting Attorney, representing the Prosecuting Attorney Association of Michigan, testified in support of the bill.

**Homer Smith**, representing Mothers Against Drunk Driving, submitted a card in support of the bill and did not wish to speak.

**Gary Nayert**, representing the Michigan Ignition Interlock Providers Association, submitted a card in support of the bill and did not wish to speak.

**Representative Virgil Smith** moved to adopt the substitute (**H-1**) to **HB 5160**.

The motion prevailed by a vote of **13-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Rick Jones and Rocca,  
Nays: None,  
Pass: None.

**Representative Corriveau** moved to report **HB 5160** with recommendation, as substitute (**H-1**).

The motion prevailed by a vote of **13-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Rick Jones and Rocca,  
Nays: None,  
Pass: None.

**Chairman Condino** laid **HB 5560**, **HB 5561** and **HB 5562** before the committee:

HB 5560	Leland	Crimes; assaultive; assault or battery of certain vehicle operators and passengers; prohibit under certain circumstances and provide for penalties.
HB 5561	Gonzales	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of assaulting or battering public transit employee or passenger on public transit vehicle; enact.
HB 5562	Dean	Crimes; assaultive; assault or battery of certain vehicle operators and passengers; prohibit under certain circumstances and provide for penalties.

**TESTIMONY**

**Representative Leland**, sponsor of HB 5560, explained his bill to the committee.

**Representative Gonzales**, sponsor of HB 5561, explained his bill to the committee.

**Representative Dean**, sponsor of HB 5562, explained his bill to the committee.

**Todd Tennis**, representing the Amalgamated Transit Union, testified in support of the bills.

**Martin Stone**, representing the Amalgamated Transit Union, testified and submitted written testimony in support of the bills.

**Javier M. Perez, Jr.**, representing the Amalgamated Transit Union, testified in support of the bills.

**Clarence Baber**, representing Metro Transit (Kalamazoo), testified in support of the bills.

**Willard Fowler**, representing Metro Transit (Kalamazoo), testified in support of the bills.

*The following people submitted a card and did not wish to speak:*

**Linda Teeter**, representing the Kalamazoo County Transportation Authority, supports the bills.

**Michael Cullimore**, representing the Lansing Local 1039 Amalgamated Transit Union, supports the bills.

**Rudy Estrada**, representing the Amalgamated Transit Union 1039, supports the bills.

**Bill Zaagman** of Governmental Consultant Services, Inc., representing the Michigan Public Transit Association, supports the bills.

**Donna Davis**, representing the Amalgamated Transit Union Local 1564, supports the bills.

**Jim Curran**, representing the Suburban Mobility Authority for Regional Transportation (SMART), supports the bills.

**Representative Bieda** moved to report **HB 5560** with recommendation.

The motion prevailed by a vote of **13-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, David Law, Elsenheimer, Rick Jones and Rocca,  
Nays: None,  
Pass: None.

**Representative Coulouris** moved to report **HB 5561** with recommendation.

The motion prevailed by a vote of **13-0-0**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, David Law, Elsenheimer, Rick Jones and Rocca,  
Nays: None,  
Pass: None.

**Representative Warren** moved to report **HB 5562** with recommendation.

The motion prevailed by a vote of **12-0-1**.

**FAVORABLE ROLL CALL:**

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, David Law, Rick Jones and Rocca,

Nays: None,

Pass: Representative Elsenheimer.

**Representative Schuitmaker** moved to excuse Representative Stakoe from the committee. There being no objection, the motion prevailed by unanimous consent.

There being no further business to come before the committee, the Chair adjourned the meeting at 9:59 a.m.

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**Representative Paul Condino, Chair**  
**House Standing Committee on Judiciary**  
Malika Abdur-Rashid  
Committee Clerk  
517-373-7256  
59 Minutes